

UNITED STATES DISTRICT COURT
DISTRICT OF NEW HAMPSHIRE

UNITED STATES OF AMERICA)

)

v.)

1:11-cr-006-JL-01

)

BRIAN MAHONEY)

OBJECTION TO *PRO SE* MOTION FOR LEAVE TO FILE A *PRO SE* PLEADING

The defendant has filed a *pro se* Motion for Leave to File a Pro Se Pleading (Docket No. 142).

Pursuant to Local Rule 4.3(e), the Court may allow a represented party to file a *pro se* pleading only if a Motion for Leave is granted.

On June 29, 2012, this Court found Mr. Mahoney not competent, specifically noting that Mr. Mahoney is not competent to represent himself. Order at page 2, Docket No. 107.

Because the Court has not yet held a hearing to determine whether Mr. Mahoney has been restored to competence he should not be allowed to file *pro se* pleadings.

WHEREFORE the government respectfully requests that the Court deny the *pro se* Motion for Leave to File a Pro Se Pleading, without prejudice.

January 16, 2013

Respectfully submitted,
John P. Kacavas
United States Attorney
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Certificate of Service

I certify that the above Objection has been filed electronically, this date, and has thereby been served upon counsel of record, Andrew Schulman, via ecf filing notice.

/s/Arnold H. Huftalen
Arnold H. Huftalen
Assistant U.S. Attorney